

Solicitation of Alternatives for Analysis in the Alternative Diesel Fuel Standardized Regulatory Impact Assessment

ARB is inviting public input on alternatives to the regulatory proposal for the Alternative Diesel Fuel (ADF) regulation. The proposed regulation contains two main elements including: 1) provisions for a legal pathway for commercialization of new emerging diesel fuel alternatives, and 2) special provisions governing biodiesel use as the first alternative diesel fuel.

ARB staff expects to propose a commercial pathway element that is substantially similar to what is described in the October 2013 Initial Statement of Reasons, entitled, "Proposed Regulation on the Commercialization of New Alternative Diesel Fuels" (<http://www.arb.ca.gov/regact/2013/adf2013/adf2013isor.pdf>; see pages 21-22). The provisions that ARB staff is planning to propose to govern biodiesel use are described in the document entitled, "Preliminary Rulemaking Proposal for Biodiesel use as an Alternative Diesel Fuel," which is available at http://www.arb.ca.gov/fuels/diesel/altdiesel/20140729ADF_SRIA_Proposal.pdf.

State rulemaking law supports public input in this ongoing ARB process aimed toward an ADF rulemaking proposal for Board consideration in 2015. As part of that process, ARB solicits public input on alternative ADF approaches, including any approach that may yield the same or greater benefits than those associated with the proposed regulation, or that may achieve the goals at lower cost. Alternative approaches submitted to ARB will be considered as staff prepares a Standardized Regulatory Impact Analysis (SRIA) as required by statutes 2011, chapter 496, which amended Government Code section 11346.3 and other provisions of the Administrative Procedure Act to require the preparation of a SRIA when major regulations are proposed. Rules implementing these requirements are found at title 1, sections 2000-2004 of the California Code of Regulations.

To submit an alternative for ARB to consider as it prepares its SRIA (see http://www.dof.ca.gov/research/economic_research_unit/SB617_regulation/view.php), please ensure that your submission discusses the alternative's ability to fulfill the purposes of the draft regulatory proposal as ARB has presented it. To enable comparison of economic impacts, please submit alternatives to the ADF regulation, including alternatives to proposed requirements affecting biodiesel blends. Alternatives may include alternatives to proposed biodiesel use NOx mitigation requirements proposed by staff. For such alternatives, please submit associated direct costs, benefit information and sources, as well as projections of production volume changes that may result from NOx mitigation of biodiesel blends relative to current production volumes. Please also submit a clear description of the basis for any cost calculations.

ARB will consider all alternatives provided in deciding which alternatives will be carried forward for more detailed analysis as part of the rulemaking process.

The deadline for submission of alternatives relating to economic impacts is Friday, August 15, 2014. Alternatives may be submitted via email to Mr. Alexander (Lex) Mitchell, at amitchel@arb.ca.gov.

The ADF rulemaking is an effort to develop a uniform framework for standards, specifications, procedures and other requirements applicable to various current and developmental alternative diesel fuels.